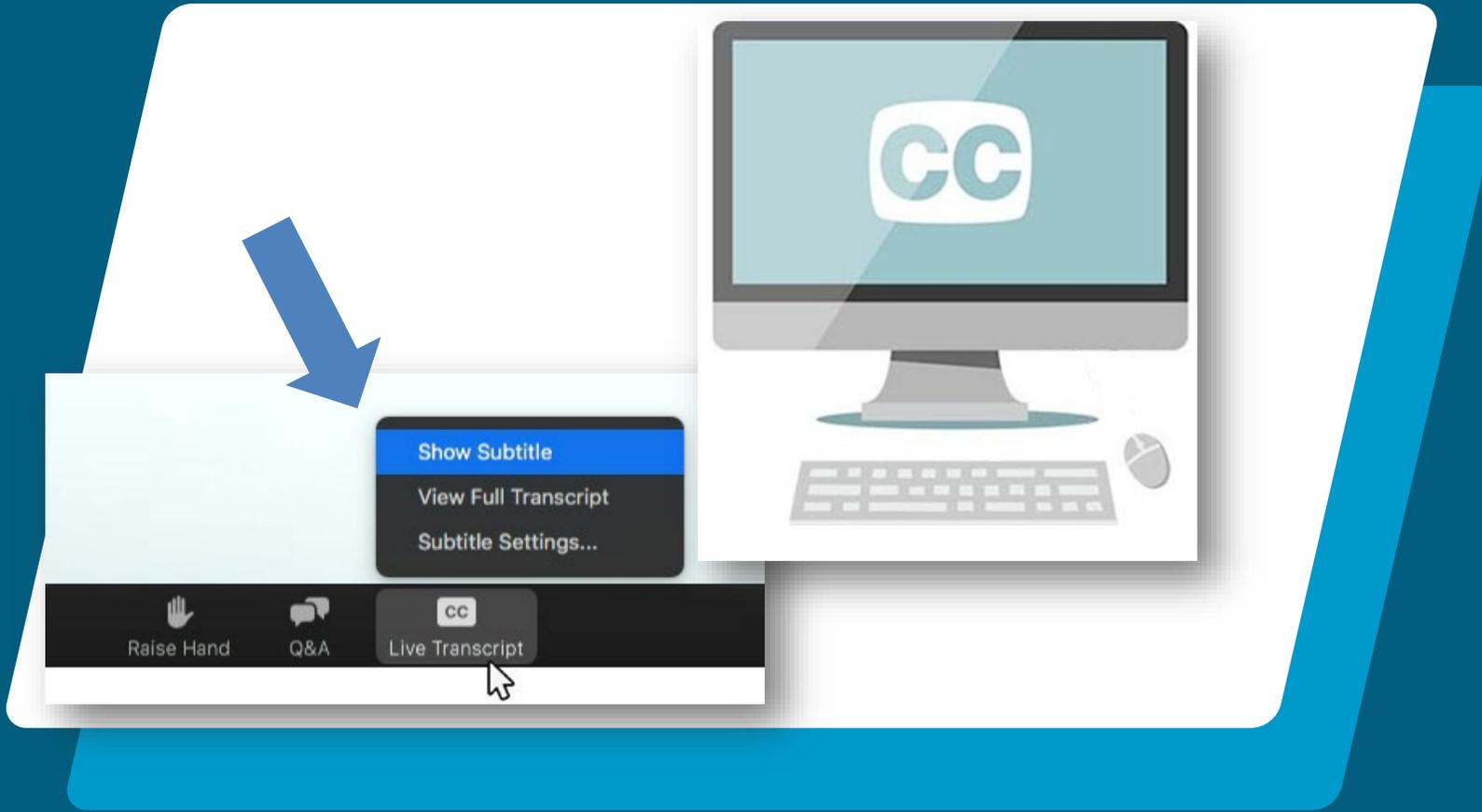


OSHA's Temporary Worker Initiative Bulletin Series: Construction Employment

Tuesday, Feb. 24, 2026, 2 p.m. ET

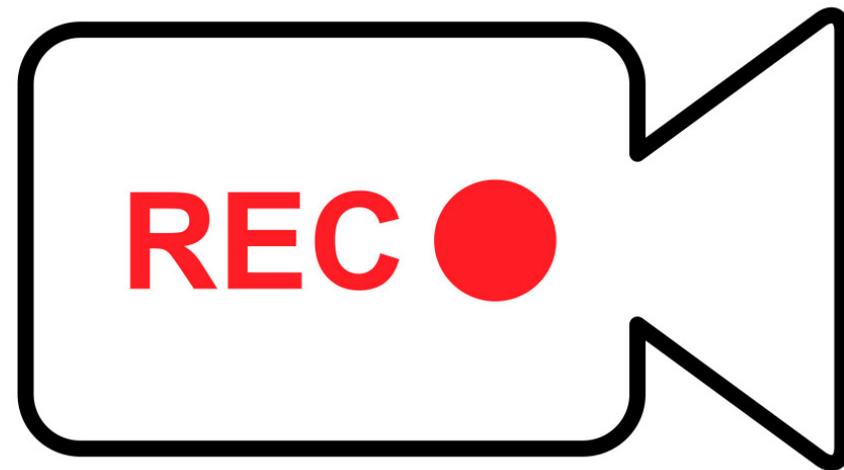
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Raise Hand Q&A **CC** Live Transcript

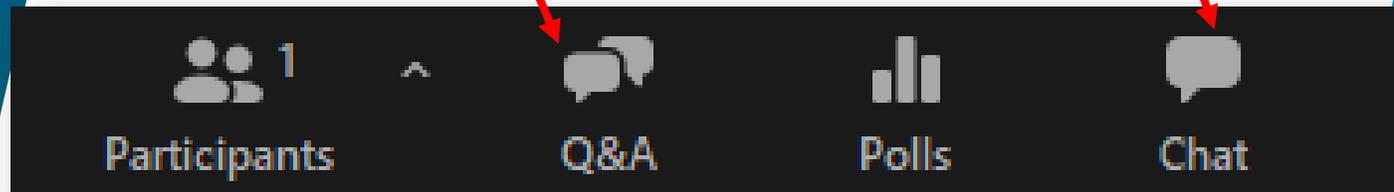


Q&A

Type your questions into the Q&A box

Chat

Start a conversation—say hello. Engage with presenter/s and other attendees.



ASA Certification Continuing Education

Today's webinar qualifies for 1.0 CE hour



- **Live webinar:** Submit this earned CE using the online submission form at *americanstaffing.net*.
- **On-demand viewers:** Submit this earned CE using the online submission form at *americanstaffing.net*.
- This program is valid for **PDCs** for the SHRM-CP® or SHRM-SCP®.

Activity ID: 26-5M4N4



Today's Presenters



Kenneth Koroll
acting director

U.S. Occupational Safety and Health Administration
Directorate of Construction—Office of Construction Services



Brittany Sakata
general counsel

American Staffing Association

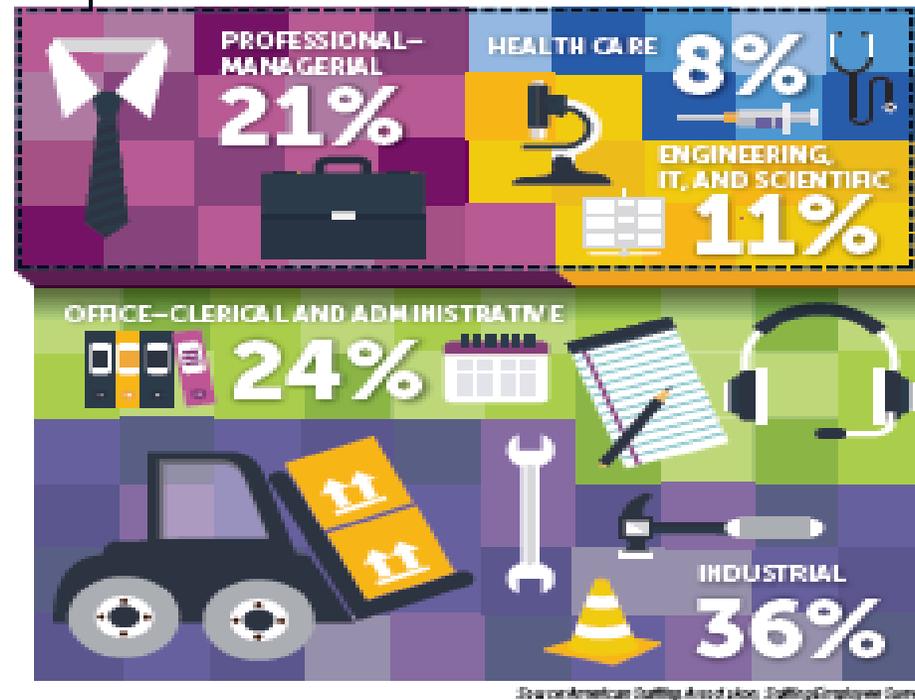
Staffing Industry Impact

- Over **2.5 million** temporary and contract employees work for America's staffing companies **during an average week**
- **During the course of a typical year**, America's staffing companies **hire 12.7 million temporary and contract employees**
- 27,000 staffing and recruiting companies, which altogether operate ~ 54,000 offices across the US

Sources: American Staffing Association; Staffing Industry Analysts Inc.; U.S. Department of Commerce



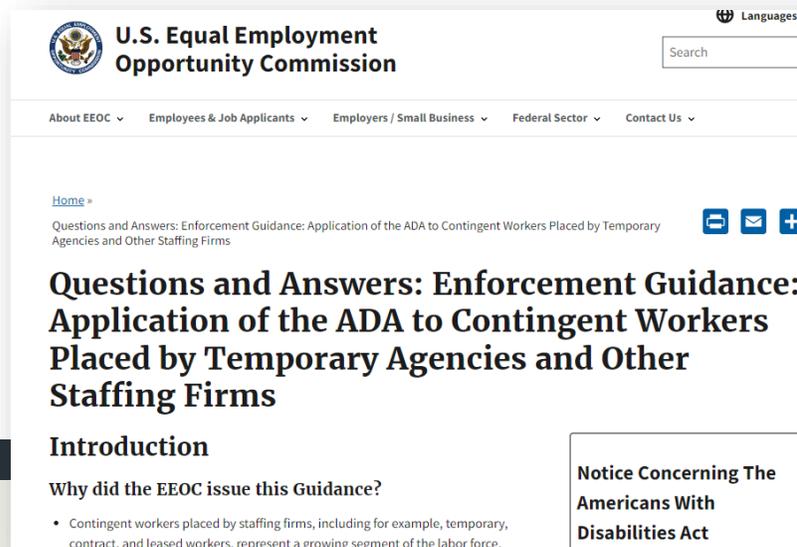
Staffing Industry Impact



- There were 178,000 temporary workers employed within the Construction sector in 2024

Legal Protections for Temporary Workers

- EEOC Enforcement Guidance on the Application of EEO Laws to Contingent Workers Placed by Temporary Employment Agencies
- EEOC Q&A: Enforcement Guidance: Application of the ADA to Contingent Workers Placed by Temporary Employment Agencies



U.S. Equal Employment Opportunity Commission

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Home » Questions and Answers: Enforcement Guidance: Application of the ADA to Contingent Workers Placed by Temporary Agencies and Other Staffing Firms

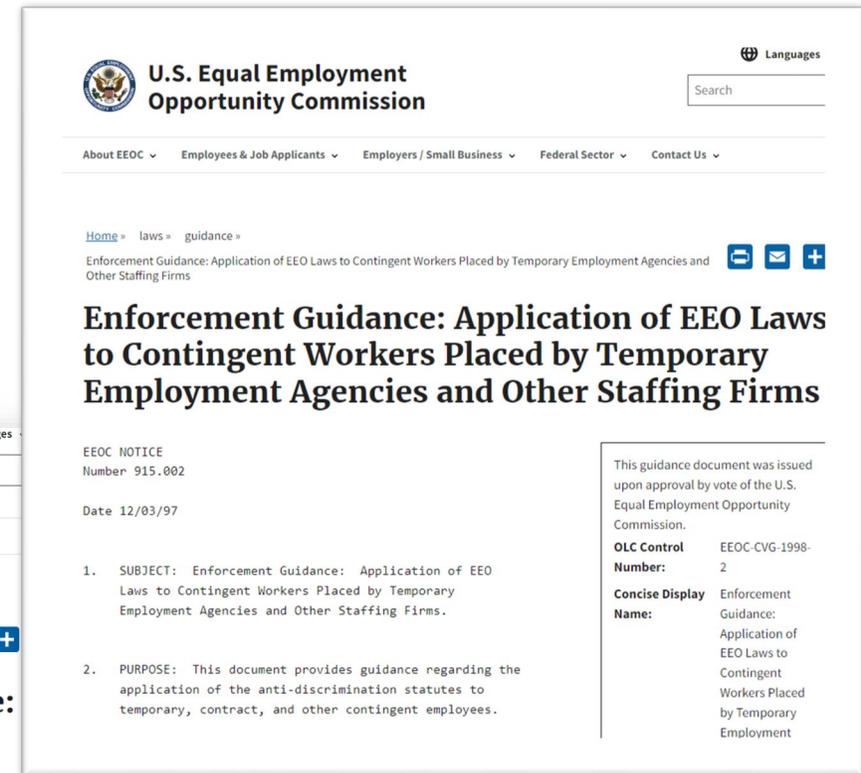
Questions and Answers: Enforcement Guidance: Application of the ADA to Contingent Workers Placed by Temporary Agencies and Other Staffing Firms

Introduction

Why did the EEOC issue this Guidance?

- Contingent workers placed by staffing firms, including for example, temporary, contract, and leased workers, represent a growing segment of the labor force.

Notice Concerning The Americans With Disabilities Act



U.S. Equal Employment Opportunity Commission

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Enforcement Guidance: Application of EEO Laws to Contingent Workers Placed by Temporary Employment Agencies and Other Staffing Firms

EEOC NOTICE
Number 915.002

Date 12/03/97

- SUBJECT:** Enforcement Guidance: Application of EEO Laws to Contingent Workers Placed by Temporary Employment Agencies and Other Staffing Firms.
- PURPOSE:** This document provides guidance regarding the application of the anti-discrimination statutes to temporary, contract, and other contingent employees.

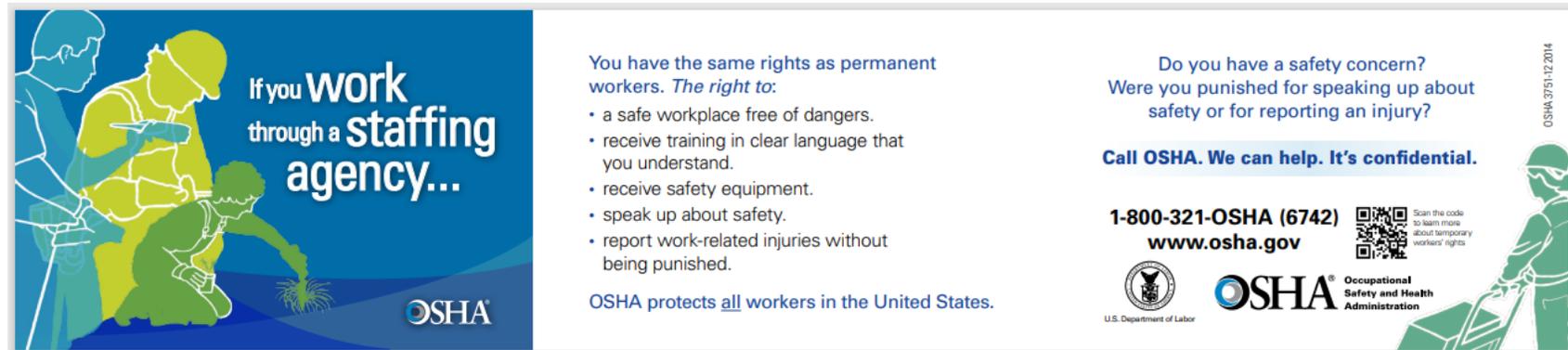
This guidance document was issued upon approval by vote of the U.S. Equal Employment Opportunity Commission.

OLC Control Number: EEOC-CVG-1998-2

Concise Display Name: Enforcement Guidance: Application of EEO Laws to Contingent Workers Placed by Temporary Employment

Legal Protections for Temporary Workers

- OSHA: Host employers and staffing companies are **jointly responsible** for protecting the safety and health of temporary workers.
 - Temporary workers must be provided the **same training as internal workers**
 - Host employer is responsible for providing **site- and task-specific safety and health training**, and the staffing company is responsible for providing **general safety and health awareness training**
 - In most cases, host employers must report temporary worker injuries on their **own OSHA 300 logs**



The graphic is a horizontal banner with a blue background on the left and white on the right. On the left, there are stylized silhouettes of workers in various poses. The text 'If you work through a staffing agency...' is written in white. The OSHA logo is in the bottom right corner of this section. The right section has a white background with blue text. It lists rights for temporary workers, provides contact information for OSHA, and includes a QR code. The OSHA logo and 'Occupational Safety and Health Administration' are at the bottom right. A small vertical text 'OSHA 3751-12 2014' is on the far right edge.

If you work through a staffing agency...

OSHA

You have the same rights as permanent workers. *The right to:*

- a safe workplace free of dangers.
- receive training in clear language that you understand.
- receive safety equipment.
- speak up about safety.
- report work-related injuries without being punished.

OSHA protects all workers in the United States.

Do you have a safety concern?
Were you punished for speaking up about safety or for reporting an injury?

Call OSHA. We can help. It's confidential.

1-800-321-OSHA (6742)
www.osha.gov

Scan the code to learn more about temporary workers' rights

OSHA Occupational Safety and Health Administration
U.S. Department of Labor

OSHA 3751-12 2014

OSHA/ASA Formal Alliance

- **Temporary Worker Initiative (TWI) launched 2013**
 - Employer Responsibilities to Protect Temporary Workers
 - Joint Responsibility
 - Staffing Company/Host Employer Roles
- **TWI Resources & Bulletins**
 - Each TWI includes guidance, sample scenarios, regulation links & more
 - Temporary Worker FAQs
 - Learn more at www.osha.gov/temporaryworkers and americanstaffing.net/safetymatters

Temporary Worker Initiative Bulletins

1. [Injury and Illness Recordkeeping Requirements](#)
2. [Personal Protective Equipment](#)
3. [Whistleblower Protection Rights](#)
4. [Safety and Health Training](#)
5. [Hazard Communication](#)
6. [Bloodborne Pathogens](#)
7. [Powered Industrial Truck Training](#)
8. [Respiratory Protection](#)
9. [Noise Exposure and Hearing Conservation](#)
10. [Hazardous Energy \(Lockout/Tagout\)](#)
11. [Shipyard Employment](#)
12. [Exposure to Outdoor and Indoor Heat-Related Hazards](#)
13. [Ergonomics for the Prevention of Musculoskeletal Disorders \(Español\)](#)
14. [Warehousing Industry Employment \(Español\)](#)
15. [Construction Industry Employment \(Español\)](#)

Resources

OSHA Resources

- [Temporary Workers' Rights Pamphlet](#)
- [Policy Background on the Temporary Worker Initiative](#)

Additional Resources

- [Recommended Practices: Protecting Temporary Workers](#)
- [Protecting Temporary Workers: Best Practices for Host Employers](#) ^{PDF}
- OSHA/ American Staffing Association (ASA) Alliance. Through the OSHA and ASA alliance, several products and webinars have been developed including:
 - [Temporary Workers Frequently Asked Questions \(FAQs\)](#) ^{PDF}. Through the OSHA and ASA Alliance, this document provides responses developed responses to frequently asked questions regarding temporary workers. (December 2024). **NEW**



OSHA'S TEMPORARY WORKER INITIATIVE BULLETIN SERIES: CONSTRUCTION EMPLOYMENT

Kenny Koroll,

Office of Construction Services,

Directorate of Construction

TOPICS

- Overview of Temporary Worker Bulletin No. 15 – Construction Employment
- OSHA’s Multi-Employer Citation Policy
- OSHA Standards & Most Frequently Cited Data
- Outreach, Initiatives, Resources & Social Media



TWI BULLETIN NO. 15 – CONSTRUCTION EMPLOYMENT

- Hazards in Construction
 - Falls
 - Caught-in
 - Struck-by
 - Electrocutions
 - Heat
 - Harmful dusts or chemicals
 - Non-traditional hazards
- General Employer Responsibilities
 - Accident Prevention Program
 - Inspection by a Competent Person
 - Training

TWI BULLETIN NO. 15 – CONSTRUCTION EMPLOYMENT CONT.

- Host Employer Responsibilities
 - Site Specific Protections, Policies, Procedures, and Training
- Staffing Agency Responsibilities
 - General Training, Inquire and Verify
- Joint Responsibilities
 - Evaluate Exposures
 - Personal Protective Equipment (PPE)

OSHA'S MULTI-EMPLOYER CITATION POLICY

- Purpose: Clarify the Agency's Multi-Employer Citation Policy
- Information Date: 12/10/1999
- Scope: OSHA-wide
- Section X.A. - Multi-employer Worksites. On multi-employer worksites (***in all industry sectors***), more than one employer may be citable for a hazardous condition that violates an OSHA standard. A ***two-step process*** must be followed in determining whether more than one employer is to be cited.

STEP ONE OF TWO-STEP PROCESS

Step one is to categorize the employer as:

- **Creating.** Employer who caused a hazardous condition.
- **Exposing.** Employer whose own employees are exposed to the hazard.
- **Correcting.** Employer who responsible for correcting a hazard.
- **Controlling.** Employer who has general supervisory authority over the worksite, including the power to correct safety and health violations itself or require others to correct them. Control can be established by contract or, in the absence of explicit contractual provisions, by the exercise of control in practice.

STEP TWO OF TWO-STEP PROCESS

- Step Two is to determine if the employer's actions (*exercise of reasonable care*) were sufficient to meet those obligations. The extent of the actions required of employers varies based on which category applies.

REASONABLE CARE

- Conducted periodic inspections of appropriate frequency;
- Implemented an effective system for promptly correcting hazards;
- Enforces the other employer's compliance with safety and health requirements with an effective, graduated system of enforcement and follow-up inspections.
- All the above can't happen without training, training, training!

HORIZONTAL VS VERTICAL OSHA REQUIREMENTS

- Horizontal are general and can apply across multiple areas
- Vertical are specific to an operation or industry

Examples:

- 29 CFR 1910 – Occupational Safety and Health Standards (General Industry)
 - 1910.146 – Permit-required Confined Spaces
 - 1910.265 – Sawmills
- 29 CFR 1917 – Marine Terminals
- 29 CFR 1926 – Safety and Health Regulations for Construction
 - 1926.450-454 – Scaffolding
 - 1926.1200-1213 – Confined Spaces in Construction

Top 10 (+2) Violations in Construction (10/1/24 - 9/30/25)

Standard Cited	Total Violations	Serious Violations	Willful Violations	Repeat Violations
1926.501 - Fall Protection	6,894	5,284	148	1,281
1926.1053 - Ladders	2,798	2,418	10	215
1926.451 - Scaffolds	2,213	2,001	22	75
1926.503 - Fall Protection Training	2,184	1,438	10	185
1926.102 - Eye and Face Protection	1,945	1,642	7	242
1926.100 - Head Protection	861	758	2	52
1925.20 - General S & H Provisions	858	630	4	62
1926.502 - Fall Protection Systems Criteria and Practices	680	585	1	23
1926.1153 - Respirable Silica	637	559	1	4
1926.453 - Aerial Lifts	560	489	0	20
1926.651 - Excavations Hazards	531	401	9	24
1926.652 - Cave-in Protection	467	321	16	42

CONSTRUCTION TRAINING REQUIREMENTS

- 1926.503 – Fall Protection Training Requirements
 - Competent Person, operation and equipment specific
 - Certification of Training
 - Retaining
- 1926.1060 – Stairway and Ladder Training Requirements
 - Competent Person, ladder/stair specific, and retraining
- 1926.454 – Scaffolding Training Requirements
 - Employees working from scaffolding
 - Employees who erect dismantle, move, operate, repair, inspect, and maintain
 - Retaining

CONSTRUCTION TRAINING REQUIREMENTS CONT.

- 1926.21(b)(2) – The employer shall instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.
 - PPE
 - Excavation hazards
- Forklift Training – 1910.178(l)
 - Temporary Worker Initiative Bulletin No.7 – Powered Industrial Truck Training
- Respirators – 1910.134
 - Temporary Worker Initiative Bulletin No.8 – Respiratory Protection
- Hazard Communication – 1910.1200
 - Temporary Worker Initiative Bulletin No.5 – Hazard Communication

OSHA 10 AND 30-HOUR TRAINING PROGRAM

- Page 1, Section II of the OSHA Outreach Training Program Requirements Manual:

“Outreach training does not meet the training requirements contained in any OSHA standard.”



Outreach Training Program



Requirements

OUTREACH AND INITIATIVES

- Hazards of Interest with Customizable Content
 - #ListenUp – addresses hearing loss
 - #MirrorCheck – addresses back overs
 - #ElectricalRollUp – addresses electrical cords
- Fall Prevention Campaign
 - National Stand-Down to Prevent Falls in Construction
- Trenching and Excavations
- Heat Illness Prevention

OUTREACH AND INITIATIVES

OSHA's Fall Prevention Campaign

- Since 2012 with NIOSH, NORA, CPWR
- National Stand-Downs since 2013
- Falls remain the most *fatal*

These Deaths are Preventable

PLAN

ahead to get the job done safely.

PROVIDE

the right equipment.

TRAIN

everyone to use the equipment safely.



OUTREACH AND INITIATIVES

National Stand-Down to Prevent Falls in Construction

Stand-Down - an opportunity for employers and workers to pause work, raise safety concerns and engage in open dialogue about the company's safety policies, goals, and expectations.

osha.gov/stop-falls-stand-down
[#StandDown4Safety](#) on Socials

OSHA.GOV

OUTREACH AND INITIATIVES

Trenching and Excavations

- This work is some of the most hazardous in construction
- Cave-ins happen in an instant
- Incidents are predictable and preventable
- **Fatalities continue to be an issue**

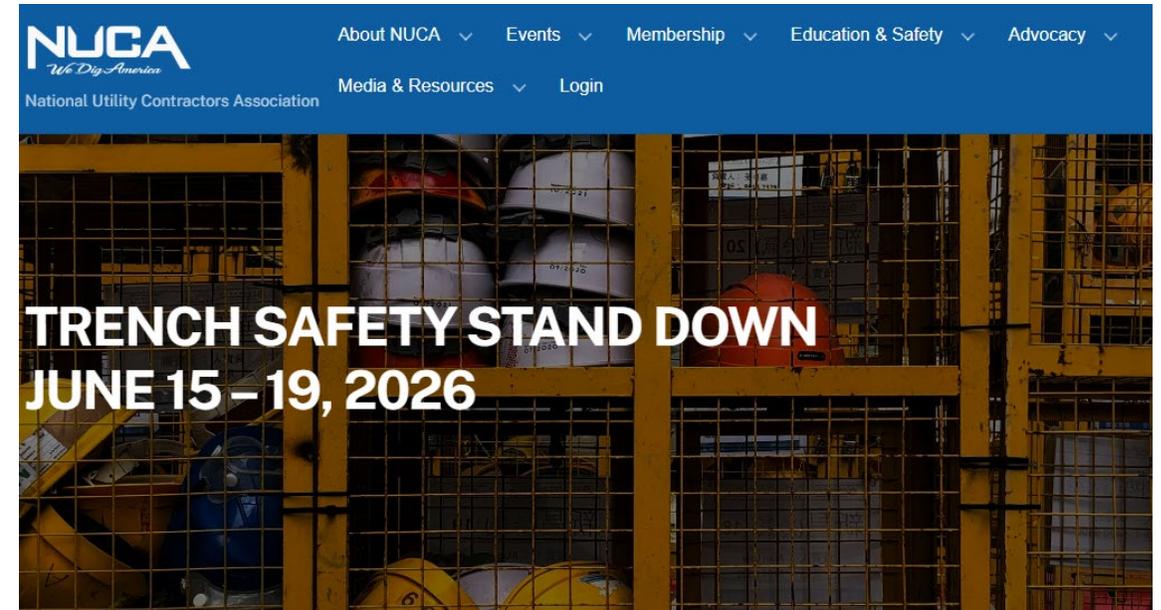


OUTREACH AND INITIATIVES

Partners for Safe Trenching and Excavation Operations



<https://www.osha.gov/alliances/safe-trenching-excavation/safe-trenching-excavation>



<https://nuca.com/events/tssd/>

OUTREACH AND INITIATIVES

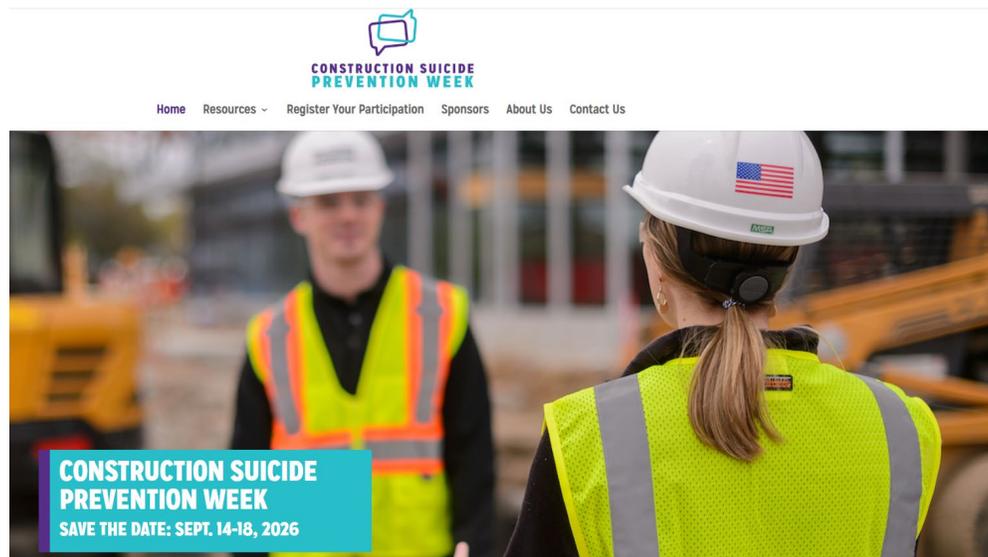
Heat Illness Prevention

- Plan ahead to protect new workers
- Train workers on symptoms and response
- Monitor workplace environmental heat
- Make it safe to say “I don’t feel well”
- Provide **Water – Rest – Shade**



NON-TRADITIONAL HAZARDS

- Workplace Stress
- Suicide in Construction
- Opioid Abuse and Overdose Deaths



Suicide Prevention 5 Things You Should Know

Suicide is a leading cause of death among working-age adults in the United States. It deeply impacts workers, families, and communities. Fortunately, like other workplace fatalities, suicides can be prevented. Below are 5 things to know about preventing suicide.

- 1 BE AWARE**
Everyone can help prevent suicide.
Mental health and suicide can be difficult to talk about—especially with work colleagues—but your actions can make a difference. When you work closely with others, you may sense when something is wrong.
- 2 PAY ATTENTION**
Know the warning signs of suicide.
There is no single cause for suicide but there are warning signs. Changes in behavior, mood, or even what they say may signal someone is at risk. Take these signs seriously. It could save a life.
- 3 REACH OUT**
Ask “Are you okay?”
If you are concerned about a coworker, talk with them privately, and listen without judgment. Encourage them to reach out to your Employee Assistance Program (EAP), the human resources (HR) department, or a mental health professional.
- 4 TAKE ACTION**
If someone is in crisis, stay with them and get help.
If you believe a coworker is at immediate risk of suicide, stay with them until you can get further help. Contact emergency services or the 988 Suicide and Crisis Lifeline.
- 5 LEARN MORE**
Suicide prevention resources are available.
 - Call or text the Suicide and Crisis Lifeline at 988.
 - Visit the American Foundation for Suicide Prevention (www.afsp.org) to learn more about suicide risk factors, warning signs, and what you can do to help prevent suicide.

OSHA QUICKTAKES & MORE

- **QuickTakes:** Stay up-to-date with OSHA news, initiatives and actions
- Let us know if you have a safety story you would like to share for our upcoming newsletter at osha.quicktakes@dol.gov
- **Información Rápida:** Spanish language version of the newsletter
- **This Just In:** breaking updates
- **DYK?:** Short, informative spotlights on topics and resources



Sign up today!
osha.gov/QuickTakes

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 - X: @OSHA_DOL
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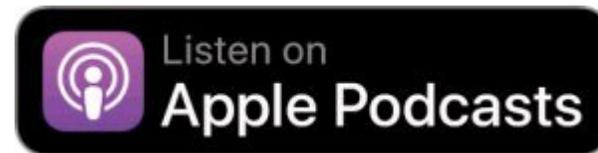
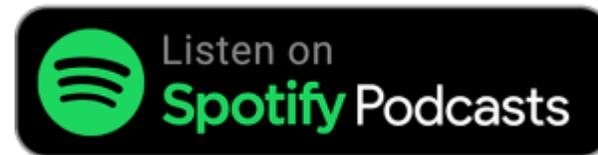
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Activity ID: 26-5M4N4







**You will now be redirected
to a brief survey**